

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**TOUCHSTREAM TECHNOLOGIES, INC.,** §

*Plaintiff,* §

v. §

**GOOGLE LLC,** §

*Defendant.* §

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Civil Case No. 6:21-cv-569-ADA

**JURY TRIAL DEMANDED**

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**DECLARATION OF EVAN MCLEAN IN SUPPORT OF GOOGLE’S  
MOTION TO DISMISS UNDER RULE 12(B)(6)**

1. I am an attorney with the law firm Jones Day, counsel of record for Defendant Google LLC (“Defendant”). I am knowledgeable about the facts set forth in this declaration and could and would testify competently to them if called as a witness, unless otherwise stated. I provide this declaration in support of Defendant’s Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(6).

2. Attached hereto as Exhibit A is a true and correct copy of *USC IP Partnership, LP v. Facebook, Inc.*, No. 6:20-cv-00555-ADA, Dkt. 62 (W.D. Tex. July 23, 2021).

3. Attached hereto as Exhibit B is a true and correct copy of *Parus Holdings Inc. v. Apple Inc.*, No. 6:19-cv-00432-ADA, Dkt. 107 (W.D. Tex. Feb. 19, 2020).

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 13, 2021, in San Jose, California.

/s/ Evan McLean

Evan McLean